

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

NORTHWEST ENVIRONMENTAL  
DEFENSE CENTER, WILDEARTH  
GUARDIANS, and NATIVE FISH  
SOCIETY,

No. 3:18-cv-00437-HZ

ORDER

Plaintiffs,

v.

UNITED STATES ARMY CORPS OF  
ENGINEERS and NATIONAL MARINE  
FISHERIES SERVICE,

Defendants.

CITY OF SALEM and MARION COUNTY,

Intervenor-Defendants.

HERNÁNDEZ, District Judge:

Before the Court are the Expert Panel's proposed implementation plans for the Green Peter adult outplanting operation (injunction action 11) and Green Peter spring spill operation (injunction action 12(a)). Also before the Court is Federal Defendants' Motion to Amend the

Cougar Deep Drawdown Implementation Plan (injunction action 14). No objections to the Panel's proposals or Defendants' motion have been filed.

Having considered the Expert Panel's proposals and the grounds for amending the Cougar deep drawdown plan, the Court GRANTS Federal Defendants' Motion [230] and amends Interim Injunction actions 11, 12(a), and 14 as follows:

- (11) Beginning in 2022, the Corps SHALL begin outplanting adult UWR Chinook salmon above Green Peter Dam as specified in the Expert Panel's Green Peter Outplanting Plan.<sup>1</sup>
- (12) After adult outplanting above Green Peter Dam begins, the Corps SHALL carry out juvenile downstream passage measures at Green Peter Dam.
  - (a) Beginning in 2022, the Corps SHALL conduct spring downstream passage measures as specified in the Expert Panel's Green Peter Dam Spring Spill Injunction Measure.<sup>2</sup>

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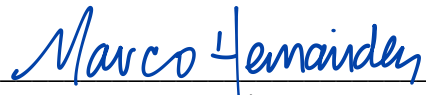
<sup>1</sup> Included as Attachment 1 to this Order, ECF 232.

<sup>2</sup> Included as Attachment 2 to this Order.

- (14) Beginning fall 2021, the Corps SHALL conduct the Cougar Dam deep drawdown measure specified in the Expert Panel's proposed implementation plan included as Attachment 2 to the Interim Injunction (ECF 212) and modified in the Proposed Water Release Strategy for Cougar Reservoir Winter Deep Drawdown.<sup>3</sup>

† IT IS SO ORDERED

DATED: November 29, 2021.

  
MARCO A. HERNÁNDEZ  
United States District Judge

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<sup>3</sup> Included as Attachment 3 to this Order.